

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO. 05-80810

HON. LAWRENCE P. ZATKOFF

v.

MICHAEL CLARK,

Defendant.

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**OPINION AND ORDER**

AT A SESSION of said Court, held in the United States Courthouse,  
in the City of Port Huron, State of Michigan, on July 20, 2006

PRESENT: THE HONORABLE LAWRENCE P. ZATKOFF  
UNITED STATES DISTRICT JUDGE

**I. INTRODUCTION**

Defendant Michael Clark is the lead defendant in a 15-defendant and 45-count drug conspiracy. Currently before the Court are Defendant's Motion for Disclosure Pursuant to Rules 404(b) and 609 of the Federal Rules of Evidence (Docket #151) and Motion for Disclosure of Impeaching Information (#152). The Court permitted the parties to present oral arguments on the motion on July 10, 2006, and the parties agreed to submit the motions on the briefs. For the following reasons, Defendant's Motion is DENIED.

## **II. DISCUSSION**

By his Motions, Defendant asks the Court to enter an Order compelling the Government to make various disclosures pursuant to Federal Rules of Evidence 404(b) and 609 and to disclose any impeaching information regarding Plaintiff's witnesses. The Government responds that it has provided all pertinent discovery in this case and that no further Court is needed. The Court agrees with the Government's position and finds that the Government is aware of its discovery obligations and that no further Court order is needed. Accordingly, Defendant's Motions for Discovery should be denied.

## **III. CONCLUSION**

For the above reasons, the Court HEREBY DENIES Defendant's Motion for Disclosure Pursuant to Rules 404(b) and 609 of the Federal Rules of Evidence (Docket #151) and HEREBY DENIES Defendant's Motion for Disclosure of Impeaching Information (#152).

IT IS SO ORDERED.

s/Lawrence P. Zatkoff

LAWRENCE P. ZATKOFF

UNITED STATES DISTRICT JUDGE

Dated: July 20, 2006

## **CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of this Order was served upon the attorneys of record by electronic or U.S. mail on July 20, 2006.

s/Marie E. Verlinde

Case Manager

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